

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BMMSOFT, INC.,

No. C-09-4562 MMC

Plaintiff,

**ORDER VACATING JANUARY 15, 2010
HEARING ON DEFENDANT'S MOTION
TO DISMISS**

v.

WHITE OAKS TECHNOLOGY INC.

Defendant

Before the Court is defendant White Oaks Technology Inc.'s ("WOTI") motion, filed October 30, 2009, as amended November 3, 2009, to dismiss plaintiff BMMsoft, Inc.'s ("BMMsoft") complaint. BMMsoft has filed opposition, to which WOTI has replied. Further, with leave of court, BMMsoft has filed a surreply. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter appropriate for decision on the parties' respective written submissions and hereby VACATES the hearing scheduled for January 15, 2010.

IT IS SO ORDERED.

Dated: January 13, 2010


MAXINE M. CHESNEY
United States District Judge